



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: October 1, 2008
AGENDA DATE: October 8, 2008
PROJECT ADDRESS: 402 Orilla Del Mar (MST2007-00629/CDP2008-00014)
 Villa Elegante
TO: Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *RLB for DKK*
 Suzanne Johnston, Assistant Planner *AB*

I. PROJECT DESCRIPTION

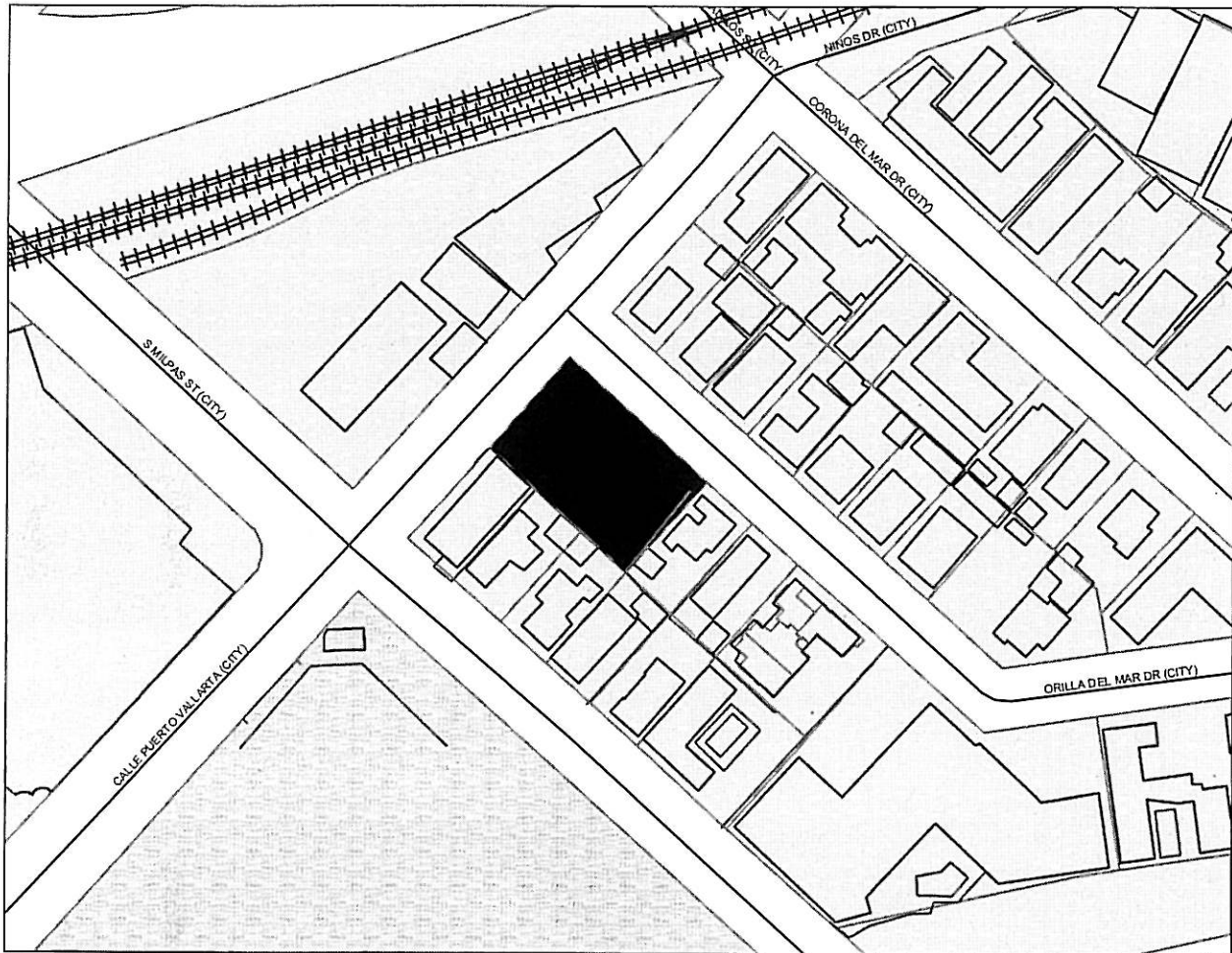
The proposed project involves a 1,324 square foot second story addition, which will connect two existing buildings, creating a carport, over an existing uncovered parking space. The project includes the conversion of existing resort Unit "B" into a manager's unit (not for use as sleeping quarters), a laundry room and guest common area, and creates a new Unit "B" on the second floor. The project site is currently developed with six (6) Residential Resort Hotel Units with parking provided by nine (9) covered and three (3) uncovered parking spaces. There is no proposed change to the number of hotel units or parking spaces.

II. REQUIRED APPLICATIONS

1. The discretionary applications required for this project are: A Modification to allow a portion of a two-story building to encroach into the required twenty foot (20') front yard setback. (SBMC §28.22.060);
2. A Coastal Development Permit (CDP2008-00014) to allow the proposed development in the Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060); and
3. A Development Plan to allow the construction of a 1,324 square feet of nonresidential development (SBMC §28.87.300).

III. RECOMMENDATION

With the approval of the Modification, the proposed project conforms to the City's Zoning and Building Ordinances and policies of the General and Local Coastal Plan. In addition, the size and massing of the project are consistent with the surrounding neighborhood. Therefore, Staff recommends that the Staff Hearing Officer approve the project, making the findings outlined in Section VII of this report, and subject to the conditions of approval in Exhibit A.



APPLICATION DEEMED COMPLETE: September 4, 2008
DATE ACTION REQUIRED: December 3, 2008

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Richard D. Starnes, Architect	Property Owner:	Werner Revocable Inter Vivos Trust
Parcel Number:	017-313-019	Lot Area:	15,000 square feet
General Plan:	Hotel and Related Commerce/ Hotel and Residential	Zoning:	HRC-1/SD-3
Existing Use:	Residential Resort Hotel Units	Topography:	4%
Adjacent Land Uses:			
	North - Commercial		East - Residential
	South - Residential		West - Commercial

B. PROJECT STATISTICS

	Existing	Proposed
Resort Unit A	1,480	1,258
Resort Unit B	1,200	1,486
Resort Unit C	1,564	1,564
Resort Unit D	1,050	1,050
Resort Unit E	1,510	1,510
Resort Unit F	1,280	1,280
Manager's Office/ Common area/ Laundry	0 sq. ft.	1,200 sq. ft.
Garage	2,080 sq. ft.	2,080 sq. ft.
Carport	0 sq. ft.	144 sq. ft.

V. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing		Proposed	
Setbacks					
-Front					
Calle Puerto Vallarta	20' (two-story)	11' (two-story)		11' (two-story)	
Orilla Del Mar	20' (two-story)	10' (two-story)		10' (two-story)	
-Interior	0'	0'		0'	
-Rear	0'	0'		0'	
Building Height	45	28'		28'	
Parking	2 covered	9 covered		10 covered	
	10 uncovered	3 uncovered		2 uncovered	
Lot Coverage					
-Building	N/A	5,820	39%	6,115	41%
-Paving/Driveway	N/A	3,000	20%	4,328	29%
-Landscaping	N/A	6,180	41%	4,557	30%

The proposed project would meet the requirements of the HRC-1/SD-3 Zone, with the exception of the front yard setback modification to allow a building that exceeds 15' feet in height to encroach into the required twenty foot front yard setback.

VI. ISSUES

A. DESIGN REVIEW

This project was reviewed by the Architectural Board of Review (ABR) on two separate occasions January 28, and April 21, 2008 and (meeting minutes are attached as Exhibit D). On April 21, 2008, the ABR stated that it felt that the northwest elevation had lost its charm, preferred the second-story setback from the first floor, the entry gate/garage door should be more transparent so that the motor-court beyond is visible; and felt that the opening was too large and asked for restudy.

B. DENSITY

Since the residential resort hotel units are configured to include kitchens (cooking facilities) they are subject to residential density requirements as outlined in the R-3/R-4 Zone (SMBC §28.21.030.2). The lot is currently and proposed to be developed with four two-bedroom and three three-bedroom units which would require a total of 14,880 square feet of lot area. The lot size is 15,000 square feet therefore the lot is conforming to density and no new units will be allowed.

C. PARKING

Parking must be provided per the parking ordinance for multi-family dwellings. Due to the unit size and configuration a total of 2 covered and ten uncovered parking spaces are required to be provided. The parking is provided in 10 covered parking spaces and two uncovered parking spaces. The units are considered hotel units with stays of less than thirty (30) days in duration. The parking requirements for hotels, motels, and resort hotels includes the parking demand for the managers office, common (lobby) area, laundry and storage areas in the per unit requirement for parking. Transportation has reviewed the subject proposal and has found that the parking demand is being met onsite.

D. FRONT YARD MODIFICATION

The requested modification is for a nine (9) foot encroachment to allow portions of a building that exceeds one-story and fifteen (15) feet in height to encroach into the required twenty (20') foot front yard setback along Calle Puerto Vallarta. The buildings in the development are currently setback ten (10') feet from the front property line along Orilla Del Mar and eleven (11') feet from Calle Puerta Vallarta, which is proposed for designation as the secondary front yard and serves as the vehicular access point to the development. The proposed modification would allow for the proposed addition to have a uniform setback to allow for floor area to serve as hotel related office, service and storage space without further expanding the building footprint and will not further reduce the required parking and minimizes the loss of landscaped areas.

E. DEVELOPMENT PLAN APPROVAL

In order to approve a development plan, the Staff Hearing Officer must find that the proposed project is consistent with the Zoning Ordinance and the principles of sound community

planning, will not have a significant adverse impact on the neighborhoods aesthetics and character, and will not have a significant unmitigated impact on the City's and South Coast's affordable housing stock and the City's traffic and water resources.

The General Plan Land Use Designation for the property is Hotel and Related Commerce I. The site is zoned HRC-1/S-D-3 (Hotel and Related Commerce/Special District Coastal Zone). The proposed commercial resort units are consistent with the uses permitted under the current zoning and General Plan designations.

The Zoning Ordinance parking requirement for the proposed project is 12 parking spaces (2 covered and 10 uncovered). The proposed project will include 12 parking spaces, 10 of which will be covered which exceeds the Zoning Ordinance requirement.

The Villa Elegante project was developed in 1997 on three vacant lots that were vacant since before October 1, 1988. The property qualified for allocation of 3,750 square feet of commercial floor area from the "Vacant" category at the time of development (0.25 of existing lot area of 15,000 square feet) as well as 3,000 square feet for each lot from the "small addition" category for a total of 9,000 square feet. In addition, there were three legal lots up until the residential resort hotel units were constructed in 1997. Total development potential is 12,750 square feet. The 1997 development allocated 8,084 square feet from the vacant and small categories. This project will allocate an additional 1,408 square feet of commercial square footage from the minor category. The proposed project is located in an area characterized by a mix of commercial, residential, and hotel/visitor serving uses. The proposed commercial resort units appear to be consistent with the overall pattern of development in the immediate area. The proposed two-story developments would also be consistent with the size, bulk, and scale of the buildings in the immediate neighborhood. The structures will be setback at a distance equal to the surrounding properties and have a clear pedestrian orientation. The proposed addition to the development is consistent with the setbacks and building heights of the existing development.

Because the proposed project is small in scale, the City's Transportation Division, has determined that the traffic generated by the manager's office, laundry and storage would not represent a significant project specific or cumulative traffic impact when added to the existing street network.

This water demand created by the back of house operations would not represent a significant incremental increase to the present demand and no significant impact on the dependable water supply is expected to occur.

Because the proposed project is small in scale and will involve only a small number of employees, the project is not expected to create new demand for low to moderate income housing in the area.

F. COMPLIANCE WITH LOCAL COASTAL PLAN

The proposed project is located in Component 6 (Calle Puerto Vallarta to Eastern City Limit) of the Local Coastal Plan (LCP). This area includes a mixture of hotel/residential uses in the East Beach neighborhood, hotel/motel use along Cabrillo Boulevard and Milpas Streets,

multiple family housing east of Ninos Drive, Murphy Field, Child's Estate, Bird Refuge, Clark Estate, and commercial uses along Los Patos Way. Although there are a variety of existing permitted uses in this area, coastal-dependant activities are the priority in the Coastal Zone. Sections 30222, 30250, and 30213 state that visitor serving facilities shall have priority over other types of uses. The proposed addition to the resort development addresses the need for visitor serving uses in the Coastal Zone.

G. ENVIRONMENTAL REVIEW

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301.

VII. FINDINGS

The Staff Hearing Officer finds the following:

A. MODIFICATION (SBMC §28.22.060 AND §28.92.110)

The requested front yard setback modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot, and promotes uniformity of improvement.

The encroachment of the second floor addition and staircase is consistent with the existing two-story buildings providing a uniform improvement on the lot. The proposed encroachment is similar to the pattern of development on surrounding properties and has a clear pedestrian orientation. The proposed addition allows for the expansion without a reduction in the required parking, and the subject property abuts a property which allows, but is not zoned for residential uses.

B. COASTAL DEVELOPMENT PERMIT (SBMC §28.45.009)

1. The project is consistent with the policies of the California Coastal Act.

The proposed addition provides additional hotel related amenities to the existing resort units, which addresses the need for visitor serving uses in the Coastal Zone.

2. The project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code.

The proposed addition will provide an expansion of hotel related services for the resort units which is consistent with the Hotel and Related Commerce Zoning as well as the Local Coastal Plan.

3. The project is consistent with the Chapter 3 (commencing with Section 30200) Policies of the Coastal Act regarding public access and public recreation.

The proposed addition addresses the need for visitor serving uses.

C. FOR THE DEVELOPMENT PLAN (SBMC §28.87.300)

1. The proposed development complies with all provisions of this Title; and
2. The proposed development is consistent with the principles of sound community planning; and
3. The proposed development will not have a significant adverse impact upon the neighborhood's aesthetics/character in that the size, bulk or scale of the development will be compatible with the neighborhood; and
The proposed modification would allow for the proposed addition to have a uniform setback to allow for floor area to serve as hotel related office, service and storage space without further expanding the building footprint and will not further reduce the required parking and minimizes the loss of landscaped areas.
4. The proposed development will not have a significant unmitigated adverse impact upon City and South Coast affordable housing stock; and
The project is a small addition that will not involve a significant number of employees creating new demand for low to moderate income housing in the area.
5. The proposed development will not have a significant unmitigated adverse impact on the City's water resources; and
The project is a small addition that will not involve a significant incremental increase in water demand.
6. The proposed development will not have a significant unmitigated adverse impact on the City's traffic; and
The project is a small addition that will not involve a significant incremental increase in traffic.
7. Resources will be available and traffic improvements will be in place at the time of project occupancy.
The proposed project does not require any traffic improvements.

Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter, dated October 1, 2008
- D. ABR Minutes

STAFF HEARING OFFICER CONDITIONS OF APPROVAL

402 ORILLA DEL MAR

"VILLA ELEGANTE"

DEVELOPMENT PLAN, COASTAL DEVELOPMENT PERMIT AND MODIFICATION.

OCTOBER 8, 2008

- I. In consideration of the project approval granted by the Staff Hearing Officer and for the benefit of the owner(s) and occupant(s) of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession, and enjoyment of the Real Property:
- A. **Recorded Conditions Agreement.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute a written instrument, which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:
1. **Approved Development.** The development of the Real Property approved by the Staff Hearing Officer on October 8, 2008 is limited to (approximately 1,324 square feet of building area) and the improvements shown on the Development Plan signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara.
 2. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan. If said landscaping is removed for any reason without approval by the ABR, the owner is responsible for its immediate replacement. The following tree protection shall be incorporated:
- B. **Public Works Requirements Prior to Building Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following to the Public Works Department for review and approval, prior to the issuance of a Building Permit for the project.
1. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an "Agreement Assigning Water Extraction Rights." Engineering Division Staff will prepare said agreement for the Owner's signature.
 2. **Solid Waste Management Plan.** Owner shall submit a solid waste management plan that identifies feasible measures to address the construction and operation of the parking lot, bicycle station and office uses which may include, but are not limited to, the following:
 - a. Provision of space and/or bins for storage of recyclable materials within the project site. This information shall be shown on the building plans and installed as a part of the proposed project's improvements.
 - b. Development and implementation of a plan for collection of recyclable materials on a regular basis.

- c. Development of Source Reduction Measures, indicating the method and amount of expected reduction.
- d. Implementation of a program to purchase recycled materials used in association with the proposed project (paper, newsprint, etc.). This could include requesting suppliers to show recycled material content.
- e. Implementation of a monitoring program (quarterly, bi-annually) to attain and maintain a 35-50% minimum participation in recycling efforts.
- f. Implementation of a composting landscape waste reduction program.

C. **Community Development Requirements with Building or Public Works Permit Application.** The following shall be submitted with the application for any Building or Public Works permit and finalized prior to Building or Public Works Permit issuance:

- 1. **Contractor and Subcontractor Notification.** The Owner shall notify in writing all contractors and subcontractors of the site rules, restrictions, and Conditions of Approval. Submit a copy of the notice to the Planning Division.

D. **Building Permit Plan Requirements.** The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.

- 1. **Conditions on Plans/Signatures.** The final Staff Hearing Officer Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Archaeologist contract submitted to Community Development Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner

Date

Contractor

Date

License No.

Architect

Date

License No.

Engineer

Date

License No.

- 2. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of

the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the applicant shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

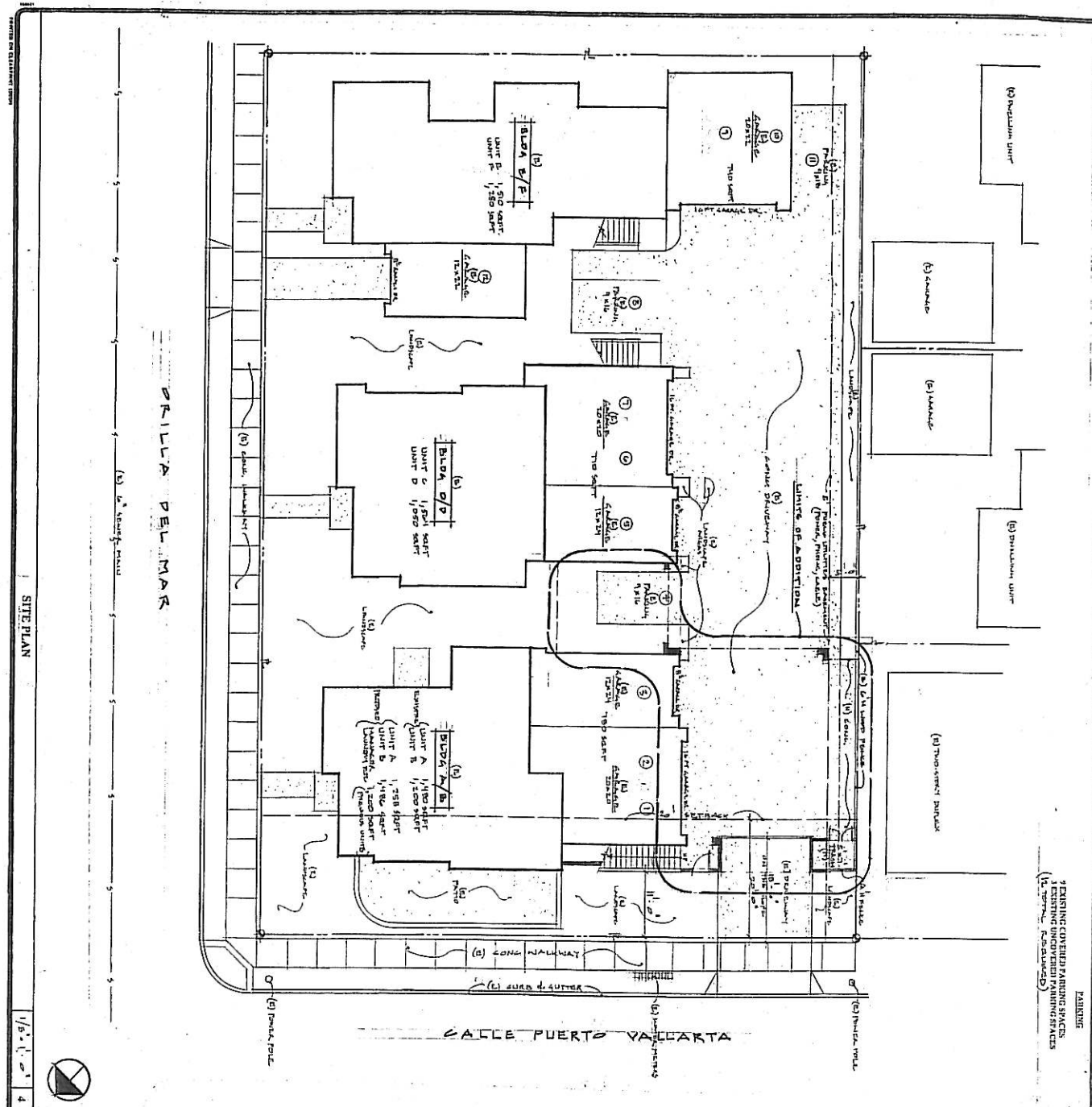
If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

- E. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:
1. **Repair Damaged Public Improvements.** Repair any damaged public improvements (curbs, gutters, sidewalks, roadways, etc.) subject to the review and approval of the Public Works Department per SBMC §22.60.090. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.
- F. **Litigation Indemnification Agreement.** In the event the Staff Hearing Officer and Planning Commission approvals of the Project are appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

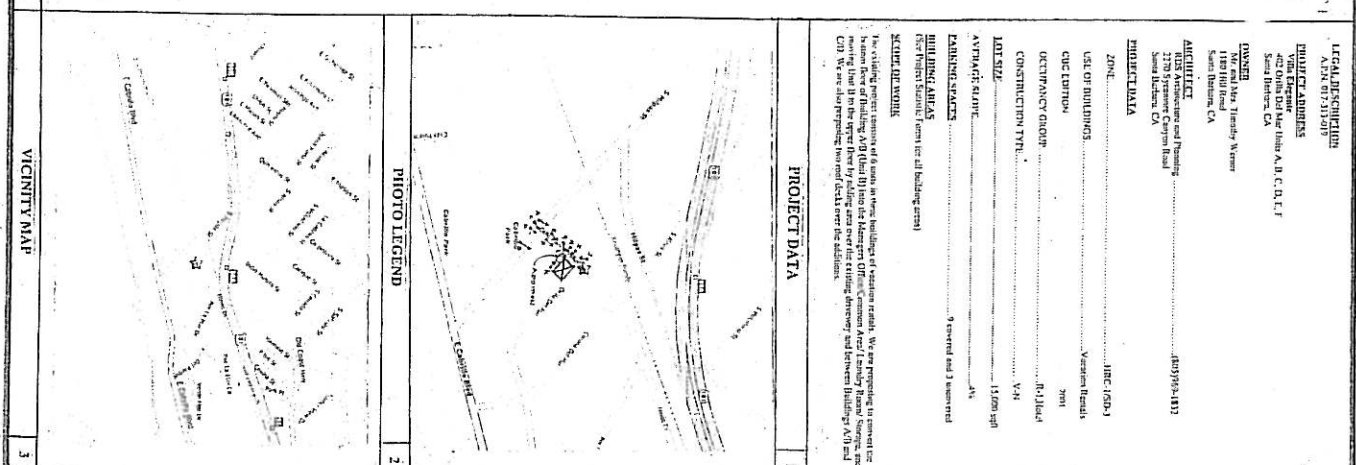
Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of the City Council denial of the appeal and approval of the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance

of the agreement by the City, which acceptance shall be within the City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

NOTICE OF TIME LIMITS: As provided in SBMC § 28.87.370 and except as otherwise prohibited by state or federal law, the initial time limit for the approved Development Plan, Coastal Development Permit, and Modification shall be determined by the time limit for the Development Plan - four (4) years from the date of final approval. Extensions of this time may be granted as provided by the Municipal Code for up to a total of six (6) years from the date of final approval as limited by the Coastal Development Permit.



EXISTING COVERED PARKING SPACES
 1. EXISTING UNCOVERED PARKING SPACES
 2. EXISTING COVERED PARKING SPACES
 3. EXISTING UNCOVERED PARKING SPACES



<p>LEGAL DESCRIPTION A-24-01-21-210 VILLAGE ADDITION Santa Barbara, CA</p>	<p>PROJECT DATA USE OF BUILDINGS: Vacation Rental CIRCULATION: 2000 OCCUPANCY GROUP: B-1 (Hotel) CONSTRUCTION TYPE: V-4 LOT SIZE: 15,000 sq ft AVAILABILITY: 15,000 sq ft EXISTING SPACES: 15,000 sq ft NEW SPACES: 15,000 sq ft TOTAL SPACES: 30,000 sq ft</p>	<p>PHOTO LEGEND 1. EXISTING UNCOVERED PARKING SPACES 2. EXISTING COVERED PARKING SPACES 3. EXISTING UNCOVERED PARKING SPACES</p>	<p>VICINITY MAP</p>	<p>PROJECT DATA</p>	<p>PHOTO LEGEND</p>	<p>VICINITY MAP</p>	<p>PROJECT DATA</p>	<p>PHOTO LEGEND</p>
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VILLA ELEGANTE ADDITION 402 ORILLA DEL MAR, SANTA BARBARA

EXHIBIT B

DATE	10/1/01
BY	SL-1
REVISION	1.0
DESCRIPTION	1.0
DATE	10/1/01
BY	SL-1
REVISION	1.0
DESCRIPTION	1.0

DATE	10/1/01
BY	SL-1
REVISION	1.0
DESCRIPTION	1.0
DATE	10/1/01
BY	SL-1
REVISION	1.0
DESCRIPTION	1.0

R D S
ARCHITECTURE
P L A N N I N G

LETTER

DATE October 1, 2008

TO City of Santa Barbara
 Planning Commission
 630 Garden Street
 Santa Barbara, CA

REGARDING Villa Elegante Addition
 402 Orilla Del Mar
 Santa Barbara, CA

Dear Planning Commissioners,

We are requesting approval for the addition and remodel to the existing vacation rental property as indicated in the plans submitted.

The project consists of converting Unit B, that is on the ground floor of Building A/B, into a Managers Office, Laundry Room, and Common Area to be used by the Guests (no additional square footage is required for this conversion). We are then proposing to move Unit B to the upper level of Building A/B adjacent to Unit A by adding square footage over the existing driveway of the project. This requires an addition of 1,324 square feet to the upper level of this building, and no square footage to the lower level is required.

A Modification is required to allow portions of the two-story building to encroach into the required twenty foot front yard setback along Calle Puerto Vallarta. Only the lower level is within this setback, and it lines up with the setbacks of the existing building. The upper level steps back to the required twenty foot setback.

Development Plan Approval is required to allow the addition of 1,324 square feet to be allocated from measure E square footage from the Small addition category.

A Coastal Development Permit is required to allow new development in the Appealable Jurisdiction of the Coastal Zone.

We understand that Architectural Board of Review (ABR) review and approval is required.

Thank you for your consideration.

Richard D. Starnes, Architect

EXHIBIT C

CONCEPT REVIEW - NEW ITEM**4. 402 ORILLA DEL MAR****HRC-1/SD-3 Zone**

Assessor's Parcel Number: 017-313-019

Application Number: MST2007-00629

Owner: Werner Revocable Inter Vivos Trust

Architect: Rick Starnes

(Proposal for a 1,324 square foot commercial addition to an existing six-unit vacation rental complex in the HRC-1 Zone. The proposal involves converting the existing rental unit B into a manager's office, storage area, laundry area, and common area and relocating unit B as a second-floor addition over the existing driveway, between buildings A/B and C/D. Development Plan Approval Findings are required for the new 1,324 square feet of commercial space. The project requires Planning Commission Review for a modification into the required front yard setback and a Coastal Development Permit. The parcel is located in the appealable jurisdiction of the Coastal Zone.)

(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND PLANNING COMMISSION REVIEW OF A COASTAL DEVELOPMENT PERMIT AND FRONT YARD MODIFICATION.)

(7:33)

Present: Rick Starnes, Architect; Tim Warner, Owner.

Public comment opened at 7:43 p.m.

A letter from Paula Westbury was acknowledged.

Public comment closed at 7:44 p.m.

Motion: Continued indefinitely to Full Board with the following comments:

- 1) Study the placement of the second-story Unit B.
- 2) Study the decks on the roof with parapets.
- 3) Study the staircase, provide section/detailing of the roof area.
- 4) Provide full elevations of the existing and proposed project.
- 5) Provide additional neighborhood photos.
- 6) Study the rhythm and detailing of the plaster second-story supports.
- 7) At this time the Board can not support the second-story modification on Puerto Vallarta Street.

Action: Zink/Sherry, 5/0/0. Motion carried. (Blakeley, Mudge, Wienke absent.)

CONCEPT REVIEW - CONTINUED ITEM**2. 402 ORILLA DEL MAR****HRC-1/SD-3 Zone**

Assessor's Parcel Number: 017-313-019

Application Number: MST2007-00629

Owner: Werner Revocable Inter Vivos Trust

Architect: Rick Starnes

(Proposal for a 1,324 square foot commercial addition to an existing six-unit vacation rental complex in the HRC-1 Zone. The proposal involves converting the existing rental unit B into a manager's office, storage area, laundry area, and common area and relocating unit B as a second-floor addition over the existing driveway, between buildings A/B and C/D. Development Plan Approval Findings are required for the new 1,324 square feet of commercial space. The project requires Planning Commission Review for a modification into the required front yard setback and a Coastal Development Permit. The parcel is located in the appealable jurisdiction of the Coastal Zone.)

(Second Concept Review.)**(COMMENTS ONLY; PROJECT REQUIRES ENVIRONMENTAL ASSESSMENT AND PLANNING COMMISSION REVIEW OF A COASTAL DEVELOPMENT PERMIT AND FRONT YARD MODIFICATION.)**

(4:49)

Present: Rick Starnes, Architect; Tim Werner, Owner.

Public comment opened at 5:09 p.m.

Four letters in support of the project from James and Judy Mellinger, David and Roberta Berns, Bob and Jackie Laskoff, and John Dixon were read into the record.

Public comment was closed at 5:13.

Motion: Continued to the Full Board with the following comments:

- 1) Complete and correct all drawings.
- 2) Redesign the stair element on the roof, indicated as two chimneys, to not replicate a faux chimney shape.
- 3) The Board felt the project has lost its charm at the northwest front elevation. Some members feel the front gable is more charming on right side than is currently presented. Most feel the second-story set back is preferred, and the entry area at the left of garage was better in the previous submittal. It was commented that the area under the stairs is planing out with the wall to the left and should be addressed appropriately, such as filling in with brick and redesign of the stair entry.
- 4) The Board would prefer a gate or garage door that is more transparent rather than a sectional solid garage door. Provide a design solution. Board would prefer that it is transparent enough for the public to see through to the motor-court beyond.
- 5) The Board feels the opening at the northwest elevation on the left building (unit A/B) is too large. Study with Transportation Department for backup and maneuvering.
- 6) Verify setbacks and trash enclosures with City Departments for compliance prior to returning to ABR to ensure submitted project is in compliance with City Standards.

Action: Manson-Hing/Sherry, 5/2/0. (Blakeley and Mosel opposed.)